REMARKS

Claims 1, 8, 10, 19, and 26 have been amended to clarify the subject matter regarded as the invention. Claim 7 has been canceled. Claims 1-6 and 8-27 remain pending.

The Examiner has rejected claims 19, 24, 26, and 27 under 35 U.S.C. § 102(e) as anticipated by Eilat and claims 1-18, 20-23, and 25 under 35 U.S.C. § 103(a) as unpatentable over Eilat in view of Ginter or in view of Ginter and Apfel.

The rejection is respectfully traversed. With respect to claim 1, the claim as amended recites "receiving an image of a user," "recognizing an identity of the user based on said image of the user," and "selecting a subset of the vision-enabled content based on the identity of the user." Eilat describes an interactive game system in which an image of a player may be merged with an animated "avatar" to create a personalized animated character controlled by the player. Eilat at 5:12-25. Eilat does not describe selecting the content provided to a player based on the identity of the player as determined by recognizing the identity of the player in a received image of the player. Ginter teaches a complicated security, distribution, and payment scheme for electronic content and does not appear to disclose providing content based on the identity of a recipient as recognized from a received image of the recipient. As such, claim 1 is believed to be allowable.

Claims 2-6 and 8-9 depend from claim 1 and are believed to be allowable for the same reasons described above.

Claim 10 recites using a "series of images of the user to control the vision-enabled content by detecting an action by said user by processing said series of images." Eilat teaches using a conventional virtual reality kit comprising sensors physically attached to the player to

generate control signals based on movements by the player, or alternatively a keyboard, joystick, telephone keypad, or other physical data input device. Eilat at 7:25 – 35; 7:44-52; 7:64 – 8:6; 8:13-26; 14:17-49. Ginter does not appear to address controlling video content. As such, neither teaches using a "series of images of the user to control the vision-enabled content by detecting movements of the user based on changes in the respective images comprising the series of images," as recite in claim 10. Claim 10 is therefore believed to be allowable.

Claims 11-18 depend from claim 10 and are believed to be allowable for the same reasons described above.

Like claim 1, claim 19 recites "receiving an image of a user," "recognizing an identity of the user based on said image of the user," and "selecting a subset of the vision-enabled content based on the identity of the user." As such, claim 19 is believed to be allowable for the same reasons described above with respect to claim 1.

Claims 20-25 depend from claim 19 and are believed to be allowable for the same reasons described above.

Similarly to claim 10, claim 26 recites, "controlling the content based on the person image by detecting an action by the user based on changes in the person image between the at least two images." As such, claim 26 is believed to be allowable for the same reasons described above with respect to claim 10.

Claim 27 depends from claim 26 and is believed to be allowable for the same reasons described above.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,
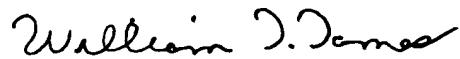
William J. James
Registration No. 40,661
V   650 903 3502
F   650 903 3501

VAN PELT AND YI, LLP
4906 El Camino Real, Suite 205
Los Altos, CA 94022

VERSION WITH MARKINGS TO SHOW CHANGES MADE

AMENDMENTS TO THE CLAIMS

1.   (Amended) A method of conducting commerce over a network, comprising:

encoding content for conversion into vision-enabled content;

receiving payment for encoding the content;

providing a program to decode the vision-enabled content; [and]

receiving an image of a user;

recognizing an identity of the user based on said image of the user;

selecting a subset of the vision-enabled content based on the identity of the user;

and

sending the selected subset of the vision-enabled content to [a] the user over a

network, wherein the program decodes the selected subset of the vision-enabled content

and [receives an image of the user and] combines the image of the user with the selected

subset of the vision-enabled content.

8.   (Amended) The method of claim 1, further comprising associating the user with a group

and selecting the selected subset of vision-enabled content based on the association of the user

with the group[, the selected vision-enabled content being sent to the user].

10.   A method of conducting commerce over a network, comprising:

encoding content for conversion into vision-enabled content;

receiving payment for encoding the content;

providing a program to decode the vision-enabled content; and

sending the vision-enabled content to a user over a network, wherein the program

decodes the vision-enabled content and receives [an image] a series of images of the user

and utilizes the [image] series of images of the user to control the vision-enabled content

by detecting an action by said user by processing said series of images.

19.   (Amended) A method of conducting commerce over a network, comprising:

encoding content for conversion into vision-enabled content;

providing a program to decode the vision-enabled content; [and]

receiving an image of a user;

recognizing an identity of the user based on said image of the user;

selecting a subset of the vision-enabled content based on the identity of the user;

and

sending the selected subset of the vision-enabled content to [a] the user over a

network, wherein the program decodes the selected subset of the vision-enabled content

[and receives an image of the user].

26.   (Amended) A method of manipulating content based on an image of a user, comprising:

sending content to a user over a network;

receiving [an image] a series of images of the user;

recognizing a person image of the user in [the image] at least two images

comprising the series of images;

controlling the content based on the person image by detecting an action by the

user based on changes in the person image between the at least two images; and

outputting the content.